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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/311,254	05/13/1999	JEFFREY P. LEE	10990419-1	9998

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EXAMINER

PAULA, CESAR B

ART UNIT	PAPER NUMBER
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2178

DATE MAILED: 04/08/2004

19

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/311,254

Applicant(s)

LEE ET AL.

Examiner

CESAR B PAULA

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 26 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,2,5-8,11-14 and 17-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,5-8,11-14 and 17-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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### **DETAILED ACTION**

1. This action is responsive to the RCE filed on 1/26/2004.

**This action is made Non-Final.**

2. In the amendment, claims 1-2, 5-8, 11-14, and 17-24 are pending in the case. Claims 1, 7, and 13 are independent claims.

3. The rejections of claims 1-2, 5-8, 11-14, and 17-24 under 35 U.S.C. 103(a) as being unpatentable over Mahoney(Pat.# 5,999,664, 12/7/99, filed 11/14/97), in view of Venable (Pat.# 5,995,996, 11/30/99, filed 1/30/97) have been withdrawn as necessitated by the amendment.

### ***Drawings***

4. The drawings filed on 5/13/99 have been approved by the draftsman.

### ***Claim Objections***

5. Claims 1-2, 5-6 are objected to because of the following informalities: "one processing pipelines" (claim 1, line 17). This should read "one processing pipeline". Appropriate correction is required.

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6. Claims 7-8, 11-12 are objected to because of the following informalities: "one processing pipelines" (claim 7, line 17). This should read "one processing pipeline". Appropriate correction is required.

7. Claims 13-14, 17-24 are objected to because of the following informalities: "one processing pipelines" (claim 13, line 16). This should read "one processing pipeline". Appropriate correction is required.

***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 1-2, 5-8, 11-14, and 17-24 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Mahoney(Pat.# 5,999,664, 12/7/99, filed 11/14/97), in view of Ulead PhotoImpact 3.0 User Guide, Ulead Systems (1996, pp. 90-93, 162-173).

Regarding independent claim 1, Mahoney discloses a document analyzer for segmenting a document image into a set of layout objects—*number of regions*—and to determine a predefined document feature--*data type*-- (col. 5, lines 44-50, col.13, L.34-67, and col.24, lines 20-67, fig.9, 969).

Moreover, Mahoney teaches a selection user interface for identifying set of features for search and further processing based upon a request by an application program—*destination application*-- selection request (col.8, lines 1-50, col.16, lines 47-col.17, line 67, col. 34, lines 1-67, fig.6, 9-10, 12-14). Mahoney fails to explicitly disclose: *pipeline identifier identifies a processing pipeline from a plurality of processing pipelines to process the respective one of the regions based upon the predefined data type selected in the selection interface, wherein the processing pipeline is identified to process each of the regions based upon the predefined data type of each of the regions, respectively, and based upon a predetermined destination application*. However, Photoimpact teaches an acquire submenu which allows for the acquiring of an image document. The document is scanned and several post-processing functions—*pipelines*- are performed on different parts or sections of the document, such as the removal of excess blank space in the image document using an “Auto-crop” feature—*pipeline*-, eliminating interference patterns from a photo in the document using “Auto-remove moiré” feature—*pipeline*-etc. After these features or functions are applied, then the Photoimpact application displays the document sent from the acquire process—*combine regions processed by the at least one processing pipelines and to provide combined regions processed by at least one processing pipelines to the predetermined destination application* (page163, lines 3-30, page 165, post proc. options). However, it would have been obvious to a person of ordinary skill in the art at the time of the invention to have combined the teachings of Mahoney, and Photoimpact, and have identified one of the pipelines, because this would provide the benefit of automatically enhancing the image to correct basic image problems using powerful enhancement features (page 165, post proc. options).

Regarding claim 2, which depends on claim 1, Mahoney discloses toggle mechanisms for enabling a user to request desired features by selecting and deselecting operations (col.24, lines 50-67, fig.9, 969).

Claim 5 is directed towards a computer system for implementing the system found in claim 2, and therefore is similarly rejected.

Regarding claim 6, which depends on claim 1, Mahoney discloses default selection configuration—"none"-- for enabling a user to request desired features (col.24, lines 50-67, fig.9, 969).

Claims 7-8, 11-12, and 19-20 are directed towards a computer system for implementing the system found in claims 1-6, 1, and 1 respectively, and therefore are similarly rejected.

Claims 13-14, 17-18, and 21 are directed towards a method for implementing the system found in claims 1-2, 2, 6, and 1 respectively, and therefore are similarly rejected.

Regarding claim 22, which depends on claim 19, Mahoney teaches a selection user interface with selection elements for identifying set of features for search and further processing based upon a request by an application program selection request (col.8, lines 1-50, col.16, lines 47-col.17, line 67, col. 34, lines 1-67, fig.6, 9-10, 12-14). Mahoney fails to explicitly disclose:

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*digital document to be applied to a processing pipeline.* However, Photoimpact teaches an acquire submenu which allows for the acquiring of an image document. The document is scanned and several post-processing functions—*pipelines*- are performed on different parts or sections of the document, such as the removal of excess blank space in the image document using an “Auto-crop” feature—*pipeline*-, eliminating interference patterns from a photo in the document using “Auto-remove moiré” feature—*pipeline*-etc. (page 163, lines 3-30, page 165, post proc. options). However, it would have been obvious to a person of ordinary skill in the art at the time of the invention to have combined the teachings of Mahoney, and Photoimpact, and have identified one of the pipelines, because this would provide the benefit of automatically enhancing the image to correct basic image problems using powerful enhancement features (page 165, post proc. options).

Claim 23 is directed towards a computer system for implementing the system found in claim 22, and therefore is similarly rejected.

Claim 24 is directed towards a method for implementing the system found in claims 22, and therefore is similarly rejected.

### ***Response to Arguments***

10. Applicant's arguments with respect to claim 1-2, 5-8, 11-14, and 17-24 have been considered but are moot in view of the new ground(s) of rejection. Regarding claim 1, applicant indicates that the combination of Mahoney and Venable fails to explicitly show the selection of a

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pipeline identifier for each region, and identifying a processing pipeline out of the many pipelines, to process the selected region (page8, lines 30-36). The applicant is directed towards the new rejections above, in light of this newly introduced amendment to the claims.

Regarding claims 7, and 13, the applicant notes that these claims contain similar amendments to those in claim 1, therefore the rejections should be withdrawn (page9, lines 4-6). The rejections have been withdrawn as necessitated by the new amendment. However, applicant is directed towards the new rejections above, in light of this newly introduced amendment to the claims.

Regarding claims 2, 5-6, 8, 11-12, 14, and 17-24, the applicant notes that these claims contain similar amendments to those in claims 1, 7, and 13, due to their dependency status, therefore the rejections should be withdrawn (page9, lines 4-6). The rejections have been withdrawn as necessitated by the new amendment. However, applicant is directed towards the new rejections above, in light of this newly introduced amendment to the claims.

### ***Conclusion***

- I. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Simske et al. (Pat. # 6,674,901), and Mullin (Pat. # 6,252,614).
- II. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cesar B. Paula whose telephone number is (703) 306-5543. The



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examiner can normally be reached on Monday through Friday from 8:00 a.m. to 4:00 p.m. (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon, can be reached on (703) 308-5186. However, in such a case, please allow at least one business day.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Any response to this Action should be mailed to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Or faxed to:

- (703) 703-872-9306, (for all Formal communications intended for entry)

**Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).**



CESAR B PAULA  
Patent Examiner  
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4/5/04